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PATENTS ONLY

1511 U.S. P. 20  
09/757046  
01/08/01

To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name(s) of conveying party:

Daniel Frederick Gruhl

2. Name and address of receiving party:

International Business Machines Corporation  
New Orchard Road  
Armonk, NY 10504

3. Nature of conveyance: Assignment

Execution Date: October 20, 2000

4. Application number:

Docket No.: ARC9-2000-0128-US1

If this Assignment is being filed together with a new application, enter the execution date of the application (date Declaration signed): (1) October 20, 2000

5. Name and address of party to whom correspondence concerning Assignment should be mailed:

John L. Rogitz  
Rogitz & Associates  
750 B Street, Suite 3120  
San Diego, CA 92101

6. Total number of applications involved: 1

7. Total fee (37 CFR 3.41) = \$40.00

8. Charge fee to Deposit Account No. 09-0441

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John L. Rogitz  
Attorney Name

Signature of Attorney

Date

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**COMPUTATIONALLY EFFICIENT, PLATFORM-INDEPENDENT DATA TRANSFER PROTOCOL**

the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_  
 as United States Application Number or PCT International Application Number \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 USC §119(a-d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s):****Priority Not Claimed**

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
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I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below:

**Provisional Application(s):**

_____ (Application Number)	_____ (Filing Date)
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I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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**Power of Attorney:**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard M. Ludwin	(#33,010)	Khanh Q. Tran	(#41,352)
Thomas R. Berthold	(#28,689)	Alison D. Mortinger	(#39,306)
Marc D. McSwain	(#44,929)	John L. Rogitz	(#33,549)

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

Address all telephone calls to:

John L. Rogitz  
(619) 338-8075

Address all correspondence to:

John L. Rogitz  
Rogitz & Associates  
750 B Street, Suite 3120  
San Diego, California 92101

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

DANIEL FREDERICK GRUHL

Inventor's signature:



Date:

10/20/2000

Residence: 392 Capitol Village Circle, San Jose, California 95136

Citizenship: United States of America

# ASSIGNMENT

**Whereas, I,**

(1) **DANIEL FREDERICK GRUHL**

City of San Jose

County of Santa Clara

State of California

have invented certain improvements in *(Title of Invention):*

## COMPUTATIONALLY EFFICIENT, PLATFORM-INDEPENDENT DATA TRANSFER PROTOCOL

and executed a Declaration and Power of Attorney for a United States patent application therefor on

(1) October 20, 2000

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504 (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Execution by Inventor

(1) Inventor: **DANIEL FREDERICK GRUHL**

City/State: San Jose, CA

Signature



Date

10/20/2000